APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/618,965	07/19/2000	Robert S. French	003048.P010	2144

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EXAMINER
LE, DIEU MINH T

ART UNIT	PAPER NUMBER
2184	

DATE MAILED: 07/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒   Responsive to communication(s) filed on _23 February 2001_ .

2a)☐   This action is **FINAL**.   2b)☒   This action is non-final.

3)☐   Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒   Claim(s) _1-84_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐   Claim(s) _____ is/are allowed.

6)☐   Claim(s) _1-84_ is/are rejected.

7)☐   Claim(s) _____ is/are objected to.

8)☐   Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐   The specification is objected to by the Examiner.

10)☐   The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐   The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐   The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐   Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐   Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐   Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

Part III DETAILED ACTION

Specification

1.   Claims 1-84 are presented for examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which
forms the basis for all obviousness rejections set forth in this
Office action:

(a) A patent may not be obtained though the invention is not
identically disclosed or described as set forth in section 102
of this title, if the differences between the subject matter
sought to be patented and the prior art are such that the
subject matter as a whole would have been obvious at the time
the invention was made to a person having ordinary skill in the
art to which said subject matter pertains. Patentability shall
not be negatived by the manner in which the invention was made.

3.   This application currently names joint inventors. In
considering patentability of the claims under 35 U.S.C. 103(a),
the examiner presumes that the subject matter of the various
claims was commonly owned at the time any inventions covered
therein were made absent any evidence to the contrary.
Applicant is advised of the obligation under 37 CFR 1.56 to
point out the inventor and invention dates of each claim that
was not commonly owned at the time a later invention was made in
order for the examiner to consider the applicability of 35
U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art
under 35 U.S.C. 103(a).

4.   Claims 1-84 are rejected under 35 U.S.C. § 103(a) as being unpatentable over You (US Patent 6,324,584) in view of Cardoza et al. (US Patent 5,630,049 hereafter referred to as Cardoza).

As per claim 1:

    You substantially teaches the invention. You explicitly teaches:

 - A method for interactive debugging [abstract, col. 1, lines 18-30, col. 5, lines 47-55] comprising:

 - selecting a target construct for debugging [col. 1, lines 32-44, col. 6, lines 7-10, col. 7, lines 49-52, and col. 41, lines 35-55];

 - accessing data related to an operation of the target construct by a debug [col. 6, lines 13-16 and col. 64, lines 30-33];

 You does not explicitly address:

 - monitoring at least a portion of data without disturbing the operation.

 However, You does disclose capability of:

 - an interactive debugging system and method in supporting the dynamic computer environment [col. 1, lines 18-30 8] comprising capabilities of:

 - inspecting the state of the program via debugging [col. 6, lines 17-30];

 - inspecting and controlling the execution of the program for its uninterrupted operation [col. 6, lines 38-52].

 - debugging services used for debugging can be executed in microprocessor, register sizes, processor register, memory

addresses, operating system, hardware debugging support,
operating system debugging support, software, multitude of
parameters, etc... [col. 9, lines 16-26];

- data encapsulation in various of information, such as process
state, execution state, etc... in supporting the interactive
debugging [col. 10, lines 1-7].

In addition, Cardoza explicitly teaches:
- a apparatus and method for testing and debugging in a
computer network [abstract, col. 1, lines 5-10] comprising:
- status information on portion of the target operating system
code or data without disturbing the operation [col. 5, lines 3-
60];
- an isolated debugging environment for the computer resources
(i.e., services) [col. 2, lines 35-41].

Therefore, it would have been obvious to a person having
ordinary skill in the art at the time of Applicant's
invention to implement, first, to realize the You' s interactive
debugging system and method in supporting the dynamic computer
environment comprising capabilities of debugging services used
for debugging can be executed in microprocessor, register sizes,
processor register, memory addresses, operating system, hardware
debugging support, operating system debugging support, software,
multitude of parameters, etc... and more specifically,
inspecting the state of the program via debugging, and
inspecting and controlling the execution of the program for its
uninterrupted operation as being as being the monitoring at
least a portion of data without disturbing the operation as
claimed by Applicant since the You' s interactive debugging
system and method in supporting the dynamic computer environment

does perform the data tracking, checking, inspection (i.e., data
monitoring), and isolating failure in supporting the continuity
networking operation. It would have further obvious to an
ordinary skill in the art to set-up checkpoint to inspecting or
monitoring data or portion of data in ensuring the execution of
the system performed properly; second, one would modify the You'
s interactive debugging system and method in supporting the
dynamic computer environment to explicitly including the status
information on portion of the target operating system code or
data without disturbing the operation as taught by Cardoza's
apparatus and method for testing and debugging in a computer
network in supporting the interactive debugging within a
computer data networking environment.

This modification would have been obvious because a person
having ordinary skill in the art would have been motivated to
do so to provide the connectivity among data processor, memory,
input/output device and other networking computer devices with
mechanism to enhance the data processing, more specifically to
interactive debugging in supporting the network establishment
error detection/correction for maximizing the data process
performance and throughput. In addition, by utilizing this
approach, first, the hardware/software debugger testing system
can ensure data error detected and corrected within its
information services; second, the data/error control debugging
system can operate with a high reliability, availability, and
flexibility environment which eventually will increase its
performance, such as data throughput between internal and
external devices.

As per claim 2:

You substantially teaches the invention. You explicitly teaches:

- A method for interactive debugging [abstract, col. 1, lines 18-30, col. 5, lines 47-55,] comprising:

- modifying at least portion of data [col. 6, lines 38-42];

- inspecting the state of the program via debugging [col. 6, lines 17-30].

As per claims 3-5:

You substantially teaches the invention. You explicitly teaches:

- A method for interactive debugging [abstract, col. 1, lines 18-30, col. 5, lines 47-55,] comprising:

- a target construct for debugging [col. 1, lines 32-44, col. 6, lines 7-10, col. 7, lines 49-52, and col. 41, lines 35-55];

- select from group of a service, a socket, a service stack, a set of service, and a set of sockets [col. 52, lines 14-42, col. 56, lines 10-30, and col. 81, lines 26-33];

In addition, Cardoza explicitly teaches:

- a apparatus and method for testing and debugging in a computer network [abstract, col. 1, lines 5-10] comprising:

- status information on portion of the target operating system code or data without disturbing the operation [col. 5, lines 3-60];

- booting and polling services [col. 14, lines 30-40];

- breakpoints and show call debugging services [col. 26, lines 18 through col. 27, lines 50].

As per claims 6-8:

You substantially teaches the invention. You explicitly teaches:

- A method for interactive debugging [abstract, col. 1, lines 18-30, col. 5, lines 47-55,] comprising:

- a target construct for debugging [col. 1, lines 32-44, col. 6, lines 7-10, col. 7, lines 49-52, and col. 41, lines 35-55];

- selecting the target construct from a plurality of sockets [col. 52, lines 14-42, col. 56, lines 10-30, and col. 81, lines 26-33];

- information including a current state of services [col. 6, lines 45-52, col. 7, lines 28-40, and col. 75, lines 35-67].

In addition, Cardoza explicitly teaches:
- a apparatus and method for testing and debugging in a computer network [abstract, col. 1, lines 5-10] comprising:

- status information on portion of the target operating system code or data without disturbing the operation [col. 5, lines 3-60];

- booting and polling services [col. 14, lines 30-40];

- breakpoints and show call debugging services [col. 26, lines 18 through col. 27, lines 50].

As per claims 9-12:

You substantially teaches the invention. You explicitly teaches:

- A method for interactive debugging [abstract, col. 1, lines 18-30, col. 5, lines 47-55,] comprising:

- a target construct for debugging [col. 1, lines 32-44, col. 6, lines 7-10, col. 7, lines 49-52, and col. 41, lines 35-55];

- accessing corresponding to reading and writing to the memory [col. 6, lines 38 through col. 7, line 10, col. 56, lines 1-9];

- modifying state [col. 6, lines 38-42];

- dynamically allocating the debug construct [col. 6, lines 20-30, and col. 87, lines 48-65.

You does not explicitly address:

- dynamically de-allocation the debug construct once monitoring completed.

However, You does disclose capability of:

- an interactive debugging system and method in supporting the dynamic computer environment [col. 1, lines 18-30 8]
 comprising capabilities of :

- inspecting the state of the program via debugging [col. 6, lines 17-30];

- inspecting and controlling the execution of the program for its uninterrupted operation [col. 6, lines 38-52].

- dynamically allocating the debug construct [col. 6, lines 20-30, and col. 87, lines 48-65.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to implement to realize the You' s interactive debugging system and method in supporting the dynamic computer

environment comprising capabilities inspecting the state of the

program via debugging, and inspecting and controlling

the execution of the program for its uninterrupted as well as

dynamically allocating the debug construct operation as

being as being the dynamically de-allocation the debug construct

once monitoring completed as claimed by Applicant since the You'

s interactive debugging system and method in supporting the

dynamic computer environment does perform the

inspection and allocation of data in a dynamically debugging

environment. That in turn, the interactive debugging system

would have been dynamically de-allocation the debugging in

ordering the system to ensuring the process performed

properly. It would have been obvious to an ordinary skill in the

art to apply and allocation and de-allocation of

debugging process to achieve the data debugging method.

 As per claims 14-18 and 21:

     You substantially teaches the invention. You explicitly

teaches:

 - A method for interactive debugging [abstract, col. 1, lines

18-30, col. 5, lines 47-55,] comprising:

 - a target construct for debugging [col. 1, lines 32-44, col.

6, lines 7-10, col. 7, lines 49-52, and col. 41, lines 35-55];

 - transmitting data to host system [col. 6, lines 26-30 and

lines 53-55];

 - transmitting based upon a request sent by a host application

[col. 1, lines 38-45];

 - an operating system determines which data is to be

transmitted [col.7, lines 56 through col. 8, lines 8];

- debug construct specifies data is to be transmitted [col. 4, lines 45-50];

- notifying the debug construct upon a completion of operation [col. 8, lines 29-44 and lines 55-67].

- sending the request and transmitting the response are performed over a network [col. 1, lines 38-45].

As per claims 13 and 19:

You substantially teaches the invention. You explicitly teaches:

- A method for interactive debugging [abstract, col. 1, lines 18-30, col. 5, lines 47-55,] comprising:

- a target construct for debugging [col. 1, lines 32-44, col. 6, lines 7-10, col. 7, lines 49-52, and col. 41, lines 35-55];

- accessing corresponding to reading and writing to the memory [col. 6, lines 38 through col. 7, line 10, col. 56, lines 1-9];

- modifying state [col. 6, lines 38-42];

- dynamically allocating the debug construct [col. 6, lines 20-30, and col. 87, lines 48-65.

You does not explicitly address:

- collecting statistic related to target and measuring bandwidth required to transmitted data.

However, You does disclose capability of:

- an interactive debugging system and method in supporting the dynamic computer environment [col. 1, lines 18-30]comprising capabilities of:

- performance measurement for it data transmission bottlenecks in improving data quality [col. 6, lines 26-30];

- dynamically information gathering [col. 6, lines 6-30].

- dynamically allocating the debug construct [col. 6, lines 20-30, and col. 87, lines 48-65.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to implement to realize the You' s interactive debugging system and method in supporting the dynamic computer environment comprising capabilities performance measurement for it data transmission bottlenecks in improving data quality and dynamically information gathering operation as being as being the collecting statistic related to target and measuring bandwidth required to transmitted data as claimed by Applicant since the You' s interactive debugging system and method in supporting the dynamic computer environment does deal with data access control, data gathering, data set breakpoint, data targeting in supporting the interactive debugging system. Therefore it would have been obvious to an ordinary skill in the art to apply You's interactive debugging capabilities for performing the bandwidth measurement and collecting statistic related to target debugging process in ensuring the system operation performing uninterruptedly.

As per claims 20 and 22-23:

You substantially teaches the invention. You explicitly teaches:

- A method for interactive debugging [abstract, col. 1, lines 18-30, col. 5, lines 47-55,] comprising:

- a target construct for debugging [col. 1, lines 32-44, col. 6, lines 7-10, col. 7, lines 49-52, and col. 41, lines 35-55];

- debugging performed in a multi-channel, multi-service environment [col. 8, lines 55-67 and col. 79, lines 20-24];

- transmitting data to host system [col. 6, lines 26-30 and lines 53-55];

- transmitting based upon a request sent by a host application [col. 1, lines 38-45];

- an operating system determines which data is to be transmitted [col.7, lines 56 through col. 8, lines 8];

- debug construct specifies data is to be transmitted [col. 4, lines 45-50];

- allocating a copy of target construct in a simulated environment [col. 5, lines 61-67 and col. 41, lines 36-55].

- collecting data [col. 1, lines 32-44, col. 6, lines 7-10, col. 7, lines 49-52, and col. 41, lines 35-55];

As per claim 24:

You substantially teaches the invention. You explicitly teaches:

- A method for multi-channel, multi-service debugging [col. 8, lines 55-67 and col. 79, lines 20-24] comprising:

- providing information about service [col. 1, lines 32-44, col. 6, lines 7-10, col. 7, lines 49-52];

- selecting a target construct for debugging [col. 1, lines 32-44, col. 6, lines 7-10, col. 7, lines 49-52, and col. 41, lines 35-55];

You does not explicitly address:

- maintaining an isolated debugging environment for service.

However, You does disclose capability of:
- an interactive debugging system and method in supporting the
dynamic computer environment   [col. 1, lines 18-30 8]
comprising capabilities of :
- runtime environment used for debugging (i.e., isolated
environment) [col. 8, lines 8-16];
- runtime based function used for processing debugging [col.
65, lines 24-60].

In addition, Cardoza explicitly teaches:
- a apparatus and method for testing and debugging in a
computer network [abstract, col. 1, lines 5-10] comprising:
- status information on portion of the target operating system
code or data without disturbing the operation [col. 5, lines 3-
60];
- an isolated debugging environment for the computer resources
(i.e., services) [col. 2, lines 35-41].

Therefore, it would have been obvious to a person having
ordinary skill in the art at the time of Applicant's
invention to implement, first, to realize the You' s interactive
debugging system and method in supporting the dynamic
computer environment comprising capabilities of debugging
services used for debugging can be executed in microprocessor,
register sizes, processor register, memory addresses, operating
system, hardware debugging support, operating system debugging
support, software, multitude of parameters, etc... and more
specifically, runtime environment used for debugging (i.e.,
isolated environment) and runtime based function used for

processing debugging operation as being as being the maintaining
an isolated debugging environment for service as claimed by
Applicant since the You' s interactive debugging system and
method in supporting the dynamic computer environment does
perform the data tracking, checking, inspection (i.e., data
monitoring), and isolating failure in supporting the continuity
networking operation.

It would have further obvious to an ordinary skill in the
art to keep the debugging environment to each of the service
so that the debugging process can be tracked and resolved
correctly without any interfering to other services; second,
one would modify the You' s interactive debugging system and
method in supporting the dynamic computer environment to
explicitly including an isolated debugging environment for the
computer resources (i.e., services) as taught by Cardoza's
apparatus and method for testing and debugging in a computer
network in supporting the interactive debugging within a
computer data networking environment.

This modification would have been obvious because a person
having ordinary skill in the art would have been motivated to
do so to provide the connectivity among data processor, memory,
input/output device and other networking computer devices with
mechanism to enhance the data processing, more specifically to
interactive debugging in supporting the network establishment
error detection/correction for maximizing the data process
performance and throughput.

As per claims 25-41:

Due to the similarity of claims 25-41 to claims 2-24;
Therefore, this claim is also rejected under the same rationale
applied against claims 2-24. In addition, all of the limitations
have been noted in the rejection as per claims 2-24.

As per claim 42:

Due to the similarity of claim 42 to claim 1 except for an
apparatus for interactive debugging means (i.e., selecting
a target means, accessing data means, monitoring data means,
etc...) instead of a method for interactive debugging steps
i.e., selecting a target steps, accessing data steps, monitoring
data steps, etc...); Therefore, this claim is also rejected
under the same rationale applied against claim 1. In addition,
all of the limitations have been noted in the rejection as per
claim 1.

As per claim 43:

Due to the similarity of claim 43 to claim 24 except for an
apparatus for multi-channel, multi-service debugging
means (i.e., providing information means, maintaining an
isolated debugging means, selecting a target construct for
debugging means, etc...) instead of a method for multi-channel,
multi-service debugging steps (i.e., providing information
steps, maintaining an isolated debugging steps, selecting a
target construct for debugging steps, etc...);
Therefore, this claim is also rejected under the same rationale
applied against claim 24. In addition, all of the limitations
have been noted in the rejection as per claim 24.

As per claim 44-66:

Due to the similarity of claims 44-66 to claims 1-23 except
for an apparatus for interactive debugging capabilities
(i.e., a target construct, accessing data, monitoring data,
etc...) instead of a method for interactive debugging steps
(i.e., a target construct steps, accessing data steps,
monitoring data steps, etc...); Therefore, these claims are also
rejected under the same rationale applied against claims 1-23.
In addition, all of the limitations have been noted in
the rejection as per claims 1-23.

As per claim 67-80:

Due to the similarity of claims 67-80 to claims 24-43 except
for an apparatus for multi-channel, multi-service debugging
capabilities (i.e., providing information, maintaining an
isolated debugging, selecting a target construct for debugging,
etc...) instead of a method for multi-channel, multi-service
debugging steps (i.e., providing information steps, maintaining
an isolated debugging steps, selecting a target construct for
debugging steps, etc...); Therefore, these claims are also
rejected under the same rationale applied against claims 24-43.
In addition, all of the limitations have been noted in the
rejection as per claims 24-43.

As per claim 81:

Due to the similarity of claim 81 to claim 1 except for a
system for interactive debugging capabilities (i.e.,
selecting a target, accessing data, monitoring data, etc...)
instead of a method for interactive debugging steps (i.e.,
selecting a target steps, accessing data steps, monitoring data
steps, etc...). Therefore, this claim is also rejected

under the same rationale applied against claim 1. In addition,
all of the limitations have been noted in the rejection
as per claim 1.

As per claim 82:

Due to the similarity of claim 82 to claim 24 except for a
system for multi-channel, multi-service debugging capabilities
(i.e., providing information, maintaining an isolated debugging,
selecting a target construct for debugging, etc...) instead of a
method for multi-channel, multi-service debugging steps (i.e.,
providing information steps, maintaining an isolated debugging
steps, selecting a target construct for debugging steps,
etc...). Therefore, this claim is also rejected under the same
rationale applied against claim 24. In addition, all of the
limitations have been noted in the rejection as per claim 24.

As per claim 83:

This claim is the same as per claim 1. The only minor
different is that this claim is directed to a computer readable
medium instead of the method for interactive debugging steps as
described in claim 1. However, it would have been obvious to one
having ordinary skill in the art at the time the invention was
made to realized that a computer readable medium is a necessary
item for such a data processing networking system, more
specifically, data debugging communication system. Since the
data processing and debugging networking system obviously needs
a means for instruction or code means resided within the
computer readable medium for performing the data debugging,
monitoring, reading, writing, storing, receiving, transmitting
operation via the interactively debugging capability and via the

multi-channel, multi-service debugging capabilities. Therefore, this claim is also rejected under the same rationale applied against claim 1.

As per claim 84:

This claim is the same as per claim 24. The only minor different is that this claim is directed to a computer readable medium instead of a method for multi-channel, multi-service debugging steps as described in claim 24. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to realized that a computer readable medium is a necessary item for such a data processing networking system, more specifically, data debugging communication system. Since the data processing and debugging networking system obviously needs a means for instruction or code means resided within the computer readable medium for performing the data debugging, monitoring, reading, writing, storing, receiving, transmitting operation via the interactively debugging capability and via the multi-channel, multi-service debugging capabilities. Therefore, this claim is also rejected under the same rationale
applied against claim 24.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6.   A shortened statutory period for response to this action is set to expired THREE (3) months, ZERO days from the date of this

letter.   Failure to respond within the period for response will
cause the application to be abandoned. 35 U.S.C. 133.

7.   Any inquiry concerning this communication or earlier
communications from the examiner should be directed to Dieu-Minh
Le whose telephone number is (703) 305-9408. The examiner can
normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM.
The examiner can also be reached on alternate Fridays.

     If attempts to reach the examiner by telephone are
unsuccessful, the examiner's supervisor, Robert Beausoliel, can
be reached on (703)305-9713. The fax phone number for this
Group is (703)746-7240.

     Any inquiry of a general nature or relating to the status
of this application should be directed to the Group receptionist
whose telephone number is (703) 305-3900.
     Any response to this action should be mailed to:
          Commissioner of Patents and Trademarks
          Washington, D.C. 20231
     or faxed to:
          (703) 746-7239, (for formal communications
          intended for entry)
     Or:
          (703) 746-7240 (for informal or draft
          communications, please label "PROPOSED" or
          "DRAFT")

     Hand-delivered responses should be brought to Crystal
     Park II, 2121 Crystal Drive, Arlington. VA., Sixth
     Floor (Receptionist).

DIEU-MINH THAI LE
PRIMARY EXAMINER
ART UNIT 2184

DML
6/27/03